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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/827,086	04/19/2004	Laszlo Elteto	G&C 30074.54-US-U1	1860

26694 7590 07/31/2007

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EXAMINER	
ZEE, EDWARD	

ART UNIT	PAPER NUMBER
2135	

MAIL DATE	DELIVERY MODE
07/31/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/827,086	ELTETO, LASZLO	
	Examiner	Art Unit	
	Edward Zee	2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on *21 June 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This is in response to the amendment filed on June 21st, 2007. Claims 1, 2, 11, 16, 17 and 18 have been amended, claim 20 has been added and claims 1-20 are pending and have been considered below.

Response to Amendment

2. The amendment filed on June 21st, 2007 has been considered but is ineffective to overcome the Kambayashi et al. (6,992,721) and Krietzman et al. (2001/00434688) references.

Claim Objections

3. The amendments to claims 1, 2, 9, 11 and 16-18 effectively overcome the previous objections. Therefore the objections have been withdrawn.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claim 20 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The Examiner notes that newly added claim 20 discloses, "the first and second members are rigid", which does not appear to be supported by the original disclosure. The Examiner further notes that if the two members were rigid, it would appear to defeat the purpose of the original claimed invention, which allows the two members to move about a plurality of axes.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1, 2, 4, 5, 8-10, 18 and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Kambayashi et al. (6,992,721).

Claim 1: Kambayashi et al. discloses a flexible token apparatus, comprising:

a. a first member, for insertion into a USB-compliant host computer female connector along a first longitudinal axis, USB-compliant host computer female connector having a plurality of host conductive surfaces [figure 2, object 250];

b. a second member, disposed along a second longitudinal axis, the second member having a processor providing conditional access to data stored in a memory [figure 2, object 222 and column 2, lines 60-62]. The examiner notes that the second member contains an image pickup portion, which implies that the second member contains a processor providing access to memory;

c. a flexible conductor, electrically coupling*(electrical connection)* the processor*(CCD camera portion)* and the plurality of host conductive surfaces*(notebook PC)* when the first member is inserted into the USB-compliant host computer female connector [column 4, lines 55-63];

d. and a bendable member*(pivot portion)*, coupled to the first member and the second member, the bendable member permitting the second longitudinal axis rotated away from the first longitudinal axis [column 6, lines 1-10].

Claim 2: Kambayashi et al. discloses an apparatus as in claim 1 above and further discloses that the bendable member comprises a joint*(pivot portion)* permitting the second member to be rotated about the joint so that the second longitudinal axis is non-collinear with the first longitudinal axis*(movable portion pivots about a shaft in the direction A)* [column 6, lines 1-10].

Claim 4: Kambayashi et al. discloses an apparatus as in claim 1 above and further discloses that the bendable member comprises a hinge*(pivot about a shaft that pierces the pivot portion)* [column 6, lines 1-10].

Claim 5: Kambayashi et al. discloses an apparatus as in claim 4 above and further discloses that the hinge is bendable in a single plane*(pivot about a shaft that pierces the pivot portion)* and the bendable member further comprises a rotatable member*(second movable portion)* permitting rotation of the plane*(rotation in a direction B)* [column 6, lines 1-10].

Claim 8: Kambayashi et al. discloses an apparatus as in claim 1 above and further discloses that the flexible conductor comprises:

a. a plurality of token conductive surfaces and a flex circuit, having a plurality of conductive traces coupled to the plurality of token conductive surfaces*(USB connector)* and the

processor*(CCD camera)* [column 4, lines 55-63]. The examiner notes that it is inherent for the token to have conductive surfaces coupled to the processor via conductive traces if it can establish an electronic connection between the CCD camera and the notebook PC.

Claim 9: Kambayashi et al. discloses an apparatus as in claim 1 above and further discloses that the flexible conductor comprises a flex circuit, having a plurality of conductive traces communicatively coupled to the processor, the plurality of conductive traces including exposed portions presenting conductive surfaces*(USB connector)* contacting the host conductive surfaces when the first member is inserted into the USB host computer female connector [column 4, lines 55-63].

Claim 10: Kambayashi et al. discloses an apparatus as in claim 1 above and further discloses:

a. the token comprises a fingerprint sensor*(fingerprint recognition device)* disposed on a surface of the token [column 4, lines 14-18];

b. and the bendable member is bendable in a plane perpendicular to the surface of the token [column, lines 1-10].

Claim 18: Kambayashi et al. discloses a method of flexibly coupling a token to a host computer, the token comprising a processor providing conditional access to data stored in a memory communicatively coupled to the processor, the method comprising the steps of:

a. inserting a first member of the token into a USB-compliant host computer connector along a first longitudinal axis*(image pickup device attachable to an electronic apparatus)* [column 2, lines 2-6];

b. and bending*(pivoting)* the inserted token so that a longitudinal axis of a second member of the token is non-collinear with the first longitudinal axis*(pivot in a direction A)* [column 6, lines 1-10].

Claim 19: Kambayashi et al. discloses a method as in claim 18 above and further discloses that the second member comprises the processor [column 2, lines 60-62]. The examiner notes that the second member contains an image pickup portion, which implies that the second member contains a processor.

Claim Rejections - 35 USC § 103

8. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

9. Claims 3, 7 and 11-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kambayashi et al. (6,992,721).

Claim 3: Kambayashi et al. discloses an apparatus as in claim 2 above, but does not explicitly disclose that the joint is a ball joint. However, it would have been obvious to one of ordinary skill in the art at the time of invention to use a ball joint or any other type of coupling which allows movement in a plurality of axes. One would have been motivated to do so in order to facilitate a broader range of motion for positioning the movable portion.

Claim 7: Kambayashi et al. discloses an apparatus as in claim 1 above and further discloses that the flexible conductor comprises a plurality of token conductive surfaces*(USB connector)* communicatively coupled to the processor*(CCD camera)* [column 4, lines 55-63], but does not explicitly disclose that they are coupled via flexible wires. However, it would have been obvious

to one of ordinary skill in the art at the time of invention to use a flexible wire or any other pliable conductor to couple the conductive surfaces with the processor. One would have been motivated to do so in order to allow the movable portion of the token to move independently of the connector portion. The examiner notes that it is inherent for the token to have a plurality of conductive surfaces in order to establish an electrical connection.

Claims 11, 12, 13 and 17: Kambayashi et al. discloses an apparatus for flexibly coupling a security token having a processor to a host computer, comprising:

a. a first member, having a male USB-compliant connector disposed along a first longitudinal axis and a plurality of conductive surfaces providing electrical communication with the host computer [figure 2, object 250];

b. and a joint*(pivot portion)*, coupled to the first member and the second member, the joint permitting the second member to be rotated about the joint so that the second longitudinal axis is non-collinear with the first longitudinal axis*(pivot in a direction A)* [column 6, lines 1-10]. However, Kambayashi et al. does not explicitly disclose a second member, having a female USB-compliant connector disposed along a second longitudinal axis, the female USB connector having a second plurality of conductive surfaces electrically coupled to the first plurality of conductive surfaces via flexible conductors/wiring. Official notice is taken that it is old and well known in the electronic arts to employ the use of various adapters and extensions for changing the orientation of an electrical connector and or device. For example, Eisenbraun (2002/0119708) discloses an automotive cigarette lighter adapter comprising a male connector and a female connector attached by means of a pivoting joint. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a second member

having a female USB-compliant connector electrically coupled to the first member via flexible conductors/wiring. One would have been motivated to do so in order to update older USB tokens, which do not include a pivoting joint, by providing a USB extension/attachment with a built-in joint. The examiner notes that it is inherent for the first and second USB connectors to comprise a plurality of conductive traces with exposed portions forming conductive surfaces(connection pins).

Claim 14: Kambayashi et al. discloses an apparatus as in claim 13 above, but does not explicitly disclose that the joint comprises a ball joint. However, it would have been obvious to one of ordinary skill in the art at the time of invention to use a ball joint or any other type of coupling which allows movement in a plurality of axes. One would have been motivated to do so in order to facilitate a broader range of motion for positioning the movable portion.

Claim 15: Kambayashi et al. discloses an apparatus as in claim 13 above and further discloses that the joint comprises a hinge*(pivot about a shaft that pierces the pivot portion)* [column 6, lines 1-10].

Claim 16: Kambayashi et al. discloses an apparatus for coupling a security token having a processor to a host computer, comprising:

a. a first member, for insertion into a USB-compliant host computer connector along a first longitudinal axis, the first member having a plurality of conductive surfaces providing electrical communication with the host computer [figure 2, object 250];

b. a second member disposed along a second longitudinal axis [figure 2, object 222];

c. a joint*(pivot portion)*, coupled to the first member and the second member, the joint permitting the second member to be rotated about the joint so that the second longitudinal axis is

not collinear with the first longitudinal axis*(movable portion pivots about a shaft in the direction A)* [column 6, lines 1-10];

d. and a flexible conductor, electrically coupled*(electrical connection)* to the plurality of conductive surfaces, for providing communications between the host processor*(CCD camera)* and the computer*(notebook PC)* [column 4, lines 55-63].

However, Kambayashi et al. does not explicitly disclose that the flexible conductor comprises of flexible wiring. Nonetheless, it would have been obvious to one of ordinary skill in the art at the time of invention to use flexible wiring to facilitate the connections. One would have been motivated to do so in order to allow the movable portion of the token to move independently of the connector portion.

10. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kambayashi et al. (6,992,721) in view of Krietzman et al. (2001/0043468).

Claim 6: Kambayashi et al. discloses an apparatus as in claim 5 above, but does not explicitly disclose that the bendable member comprises a gooseneck. However, Krietzman et al. discloses a similar apparatus and further discloses a bendable member comprising a gooseneck [abstract]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to employ a gooseneck when fabricating the bendable member disclosed by Kambayashi et al.. One would have been motivated to do so in order to facilitate a broader range of motion for positioning the movable portion.

Response to Arguments

11. Applicant's arguments filed on June 21st, 2007 have been fully considered but they are not persuasive.

a. Regarding claims 1, 2, 4, 5, 8-10, 18 and 19, the Applicant argues that Kambayashi et al. does not disclose a bendable member(joint) disposed in the first longitudinal axis of the first member. However, the Examiner respectfully disagrees and notes that if one were to rotate the movable portion*(object 224)* along the axis*(object 214 along the "A" axis)* to a flat position, the movable portion*(object 222)* would then be allowed to pivot along the "B" axis, thus positioning the bendable member(joint) in the first longitudinal axis [figures 6 & 7].

b. Regarding claims 16, 17 and 18, the Applicant argues that Kambayshi et al. does not disclose that the second longitudinal axis of the second member is co-linear with the first longitudinal axis of the first member. However, the Examiner respectfully disagrees and notes that if one were to rotate the movable portion*(object 224)* along the axis*(object 214 along the "A" axis)* to a flat position, the second longitudinal axis*("B" axis)* would be co-linear with the first longitudinal axis of the first member.

c. Regarding claims 3, 7 and 11-17, the Applicant argues that Kambayshi et al. discloses the exact opposite of the claimed invention in that the anchor point 210 is attached to the USB connector 250 and the reinforcing portion 260 to the computer 100 in such a manner as not to bend, move or break. However, the Examiner respectfully disagrees and notes that while the anchor point will in fact not bend, move or break, the movable portions 224 and 222 still allow movement about two separate axes similar to the claimed invention.

Conclusion

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edward Zee whose telephone number is (571) 270-1686. The examiner can normally be reached on Monday through Thursday 9:00AM-5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

EZ
July 23, 2007

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